

Exhibit A

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§ 308. Powers and duties of the Mayor.

The Mayor shall have the following powers and duties:

- (a) Execute, enforce, and obey the ordinances of the City and laws of the Commonwealth of Pennsylvania and the United States of America.
- (b) Prepare and present a budget to City Council in accordance with the provisions of this Charter.
- (c) Inform City Council and the public each January of the financial and general condition of the City.
- (d) Provide Council with all information concerning finances and general conditions of the City as may be requested by Council.
- (e) Introduce proposed legislation to Council and make recommendations to City Council concerning the affairs of the City.
- (f) Be responsible for the hiring, with the approval of Council, of the City Managing Director.
- (g) Direct the administration of all departments, offices, and agencies of the City as supervised by the Managing Director, except as otherwise provided by this Charter or by law.

[Amended at the November 2014 General Election]

- (h) Ensure that all laws, provisions of this Charter and acts of City Council, subject to enforcement by the Managing Director, are faithfully executed by the Managing Director.
- (i) Be responsible for the establishment and development of administrative policy to be implemented by the Managing Director.
- (j) Be present or represented at all public council meetings. The Mayor may participate in all public discussions but shall have no vote.
- (k) Execute all bonds, notes, contracts, and written obligations of the City.
- (l) Issue subpoenas and compulsory processes, under the Official Seal of the Mayor, for the attendance of such persons and the production of such books and records as deemed necessary by the Mayor, and seek enforcement of such subpoenas by the Court of Common Pleas of Berks County.
- (m) Unless otherwise provided, be responsible for the employment of personnel necessary for the effective operation of City government.
- (n) Perform such other duties and exercise such other powers as stated in this Charter, by law, or ordinance.

Exhibit B

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Chapter 77

POLICE DEPARTMENT

Part 1

Promotions

§ 77-101. Promotions according to eligibility.

§ 77-102. Sergeant.

§ 77-103. Lieutenant.

§ 77-104. Captain.

§ 77-105. Inspector.

§ 77-106. Service time.

§ 77-107. Probationary period.

§ 77-108. Score determination.

§ 77-109. Eligibility lists.

§ 77-110. College credits.

[HISTORY: Adopted by the City Council of the City of Reading as indicated in part histories. Amendments noted where applicable.]

GENERAL REFERENCES

Fire and rescue services — See Ch. 36.

Law enforcement — See Ch. 325.

STATE LAW REFERENCES

Police Department - See 11 Pa.C.S. §§ 12001

Power to establish and maintain police force - See 11 Pa.C.S. § 12419.

Part 1

Promotions

[Adopted 11-24-1982 by Ord. No. 49-1982 (Ch. 1, Part 8, of the 2001 Code of Ordinances)]

§ 77-101. Promotions according to eligibility.

[Amended 5-29-2001 by Ord. No. 14-2001]

The Mayor of the City of Reading shall promote members of the Police Department to the positions of sergeant, lieutenant, captain and inspector only from among the three highest on eligibility lists for each such position certified by the Civil Service Board who meet the following qualifications with respect to each position.

§ 77-102. Sergeant.

[Amended 5-23-1990 by Ord. No. 52-1990; 5-29-2001 by Ord. No. 14-2001; 2-8-2010 by Ord. No. 3-2010; 2-27-2017 by Ord. No. 15-2017]

A. An applicant desiring to take the test for the position of sergeant in the Reading Department of Police must be a sworn member of the Reading Department of Police with five years' experience, who shall have attained the required five years' experience prior to the closing date fixed by the Civil Service Board. **[Amended 11-28-2011 by Ord. No. 63-2011; 2-27-2017 by Ord. No. 15-2017]**

B. Where more than one member of the Department is qualified by virtue of this section to submit application to take the test for the position of sergeant, the Civil Service Board shall select the type of testing, set the weights of all parts of the testing process and conduct an examination process. The respective final scores of the candidates for the position of sergeant shall include points acquired for years of experience, as provided for in § 77-106 hereof, and points acquired for college credits as provided for in § 77-110, hereof, shall be added to the composite score to determine the final score.

C. Where more than one member qualifies for an appointment to the position of sergeant as a result of the sergeants examination, the Civil Service Board shall enter the names of such persons on a list of eligibles in the order of their respective total scores, the highest coming first. The Mayor shall choose from the three names at the top of the list for

appointment to the rank of sergeant. Whenever any name is removed from the list, in accordance with this Part, all names on the list lower than that removed shall be moved up in position on the list accordingly.

§ 77-103. Lieutenant.

[Amended 5-23-1990 by Ord. No. 52-1990; 10-3-1990 by Ord. No. 121-1990; 2-11-1992 by Ord. No. 13-1992; 5-29-2001 by Ord. No. 14-2001; 2-8-2010 by Ord. No. 3-2010; 2-27-2017 by Ord. No. 15-2017]

A. An applicant desiring to take the test for the position of lieutenant shall be a sergeant who has held that position for at least three years prior to the closing date fixed by the Civil Service Board for the receipt of applications or one who held the position of detective on June 11, 1978, and who obtained such rank pursuant to Ord. No. 31-1968, as amended. **[Amended 11-28-2011 by Ord. No. 63-2011; 2-27-2017 by Ord. No. 15-2017]**

B. Where more than three members of the Department are qualified by virtue of this section to submit an application to take the test for the position of lieutenant, the Civil Service Board shall select the type of testing, set the weights of all parts of the testing process and conduct an examination process. In determining the respective final scores of the candidates for the position of lieutenant, points acquired for years of experience as provided for in § 77-106 hereof, and points acquired for college credits as provided in § 77-110 hereof, shall be added to the composite scores to determine the final score.

C. Where more than three members qualify for an appointment to the position of lieutenant as a result of the examination, the Civil Service Board shall enter the names of such persons on a list of eligibles in the order of their respective total scores, the highest coming first. The Mayor shall choose from the three names at the top of the list for appointment to the rank of lieutenant. Whenever any name is removed from the list, in accordance with this Part, all names on the list lower than that removed shall be moved up in position on the list accordingly.

§ 77-104. Captain.

[Amended 5-23-1990 by Ord. No. 52-1990; 3-11-1932 by Ord. No. 13-1992; 5-29-2001 by Ord. No. 14-2001; 2-8-2010 by Ord. No. 3-2010; 5-10-2021 by Ord. No. 31-2021]

A. An applicant desiring to take the test for the position of captain shall be a lieutenant who has held that position for at least five years prior to the closing date fixed by the Civil Service Board for the receipt of applications or a lieutenant who has a combination of at least five years of experience between the rank of sergeant and lieutenant with at least two years in patrol as a sergeant or lieutenant prior to the closing date fixed by the Civil Service Board for the receipt of applications.

B. Where more than one member of the Department is qualified by virtue of this section to submit an application to take the test for the position of captain, the Civil Service Board shall select the type of testing, set the weights of all parts of the testing process and conduct an examination process consisting of a written and oral examination. In determining the respective final scores of the candidates for the position of captain, points acquired for years of experience as provided for in § 77-106, hereof, and points for college credits as provided for in § 77-110 hereof, shall be added to the composite scores to determine the final score.

C. Where more than one member qualifies for an appointment to the position of captain as a result of the examination, the Civil Service Board shall enter the names of such persons on a list of eligibles in order of their respective total scores, the highest coming first. The Mayor shall choose from the three names at the top of the list for appointment to the rank of captain. Whenever any name is removed from the list, in accordance with this Part, all names on the list lower than that removed shall be moved up in position on the list accordingly.

§ 77-105. Inspector.

[Amended 5-13-1990 by Ord. No. 52-1990; 10-3-1990 by Ord. No. 121-1990]

An applicant for the position of inspector shall be a lieutenant who has held that position for at least three years or a captain who has held that position for at least one year or the position of lieutenant for at least three years. Applicant names shall be reviewed by the police executive staff with recommendations forwarded to the Chief of Police, who shall then either approve or disapprove such recommendations and submit his recommendations along with the staff's to the Mayor who shall appoint from those submitted.

§ 77-106. Service time.

[Amended 5-29-2001 by Ord. No. 14-2001]

Those candidates for positions covered under this Part who shall have completed 20 years of service from the time of appointment to the Department of Police to the closing date fixed by the Civil Service Board for the receipt of applications for the respective examinations, shall receive the maximum of five points allowed for service. Those who have not completed 20 years of service as aforesaid shall receive 1/4 point for each whole year of service completed as aforesaid.

§ 77-107. Probationary period.

[Amended 5-23-1990 by Ord. No. 52-1990; 5-29-2001 by Ord. No. 14-2001]

Each member of the Police Department receiving a promotion to the aforementioned ranks, at the successful conclusion of a probationary period of one year from the date of the promotion, shall be subject to demotion by the Mayor only for cause, i.e., misconduct, failure to competently perform required duties, violation of Department-written directives or laws of the commonwealth or City ordinances. Reasons for demotions shall be set forth in writing and served on the member. In the

event of a demotion, the member may appeal to Council by written notice to the Mayor within 15 days of the demotion. Council shall set a hearing date on such appeal which shall be held within a reasonable time in accordance with the local agency law.

§ 77-108. Score determination.

[Amended 5-23-1990 by Ord. No. 52-1990; 5-29-2001 by Ord. No. 14-2001]

The Civil Service Board shall determine passing scores for all tests and examinations in conference with the administrators of such authorized tests or examinations and Police Department representatives. Passing scores shall be determined by Police Department personnel needs for each particular position being tested for and/or test criteria for adequate knowledge to perform in the tested position. Such determination shall be known, in writing, to all candidates before each portion of a testing or examination process occurs.

§ 77-109. Eligibility lists.

[Amended 5-29-2001 by Ord. No. 14-2001; 2-12-2007 by Ord. No. 11-2007]

Members of the Department whose names appear on the eligibility list as certified by the Civil Service Board shall, if passed over in the appointment, remain on the eligibility list in the position as indicated by their total score for a period of two years after the date the list is officially certified. If a member of the Department is passed over three times, his or her name shall be removed from the list. A member is considered to be passed over on each separate occasion when a person(s) whose name(s) appear(s) below him or her on the eligibility list is appointed before he or she is appointed. If at any time three or fewer names appear on the eligibility list in effect under this Part, the Mayor may terminate the list and require the Civil Service Board to conduct retesting.

§ 77-110. College credits.

[Amended 3-11-1992 by Ord. No. 13-1992]

A. Those candidates for positions covered under this Part who have at least 30 or more college credit hours, shall receive 1/2 point for each 15 completed hours to a maximum total of five points for 150 credit hours in accordance with the following scale:

Credit Hours	Points
Credit Hours	Points
30 to 44	1.0
45 to 59	1.5
60 to 74	2.0
75 to 89	2.5
90 to 104	3.0
105 to 119	3.5
120 to 134	4.0
135 to 149	4.5
150 and over	5.0

B. College credit hours shall be earned at an accredited college or university. Only those credits earned before the closing date fixed by the Civil Service Board for the receipt of applications shall be considered.